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3 **FAIR POLITICAL PRACTICES COMMISSION**
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9 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
10 STATE OF CALIFORNIA
11

12 In the Matter of:) FPPC No.: 02/170
13)
14) STIPULATION, DECISION and
14 NO ON KNIGHT-NO ON PROP 22 and) ORDER
15 CARY DAVIDSON,)
16 Respondents.)
17 _____)

18 Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission, and
19 Respondents No on Knight-No on Prop 22 and Cary Davidson hereby agree that this stipulation will be
20 submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled
21 meeting.

22 The parties agree to enter into this stipulation to resolve all factual and legal issues raised in this
23 matter, and to reach a final disposition without the necessity of holding an administrative hearing to
24 determine the liability of Respondents.

25 Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural
26 rights set forth in sections 83115.5, 11503, and 11523 of the Government Code, and in section 18361 of
27 title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally
28 appear at any administrative hearing held in this matter, to be represented by an attorney at

1 Respondents' own expense, to confront and cross-examine all witnesses testifying at the hearing, to
2 subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over
3 the hearing as a hearing officer, and to have the matter judicially reviewed.

4 It is further stipulated and agreed that Respondents violated the Political Reform Act by: failing
5 to report sub-vendor information, in violation of Government Code sections 84211, subdivision (k)(6)
6 and 84303 (5 counts); failing to accurately report campaign contributions and contributor information, in
7 violation of Government Code sections 84211, subdivision (f) (2 counts); failing to disclose the receipt
8 of late contributions in properly filed late contribution reports, in violation of Government Code section
9 84203, subdivision (a) (14 counts); and failing to timely send out major donor notices, in violation of
10 Government Code section 84105 (2 counts), as described in Exhibit 1. Exhibit 1 is attached hereto and
11 incorporated by reference, as though fully set forth herein. Exhibit 1 is a true and accurate summary of
12 the facts in this matter.

13 Respondents agree to the issuance of the decision and order, which is attached hereto.
14 Respondents also agree to the Commission imposing upon them an administrative penalty in the amount
15 of Thirty-Five Thousand Dollars (\$35,000). A cashier's check from Respondents in said amount, made
16 payable to the "General Fund of the State of California," is submitted with this stipulation as full
17 payment of the administrative penalty, and shall be held by the State of California until the Commission
18 issues its decision and order regarding this matter. The parties agree that in the event the Commission
19 refuses to accept this stipulation, it shall become null and void, and within fifteen (15) business days
20 after the Commission meeting at which the stipulation is rejected, all payments tendered by Respondents
21 in connection with this stipulation shall be reimbursed to Respondents.

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1 Respondents further stipulate and agree that in the event the Commission rejects the stipulation,
2 and a full evidentiary hearing before the Commission becomes necessary, neither any member of the
3 Commission, nor the Executive Director, shall be disqualified because of prior consideration of this
4 stipulation.

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7 Dated: _____

Mark Krausse
Executive Director
Fair Political Practices Commission

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11 Dated: _____

Cary Davidson, Treasurer, and on behalf of
Respondent No on Knight-No on Prop 22,

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15 **DECISION AND ORDER**

16 The foregoing stipulation of the parties “In the Matter of No on Knight-No on Prop 22 and Cary
17 Davidson, FPPC No. 02/170,” including all attached exhibits, is hereby accepted as the final decision
18 and order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

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20 IT IS SO ORDERED.

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22 Dated: _____

Liane M. Randolph, Chairman
Fair Political Practices Commission